

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAVID RUGAR and BARBARA L. RUGAR,
Plaintiffs,

v.

KRAFT HEINZ FOOD COMPANY,
Defendant.
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ORDER

20 CV 868 (VB)

8/2/23

Defendant's motion to preclude the testimony of plaintiffs' expert and for summary judgment (Doc. #63) is DENIED. Plaintiffs' expert, Dr. Scott Tenner, is not precluded from testifying at trial, and all of plaintiffs' claims will go forward.

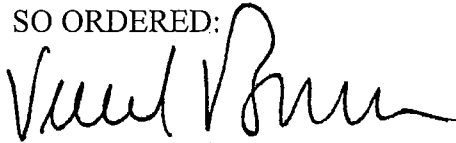
A case management conference is scheduled for **September 13, 2023, at 10:00 a.m.**, at which time the Court will issue a bench ruling explaining the basis for its decision. The conference will take place in Courtroom 620 at the White Plains courthouse.

At the conference, counsel shall be prepared to discuss the setting of a trial date and a schedule for pretrial submissions, as well as what efforts they have made and will make to settle this case.

The Clerk is instructed to terminate the motion. (Doc. #63).

Dated: August 2, 2023
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge